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APPROVED MINUTES

Board of Building Regulations and Standards (BBRS) Department of Public Safety, 50 Maple Street, Milford MA 01757 October 13, 2015 at 10:00 a.m.

1. RC opened the meeting at 10:05 a.m. and then roll call was taken as follows:

Richard Crowley V-Chair (RC)	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Thomas Perry (TP)*	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
Robert Anderson* (RA)	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Stephen Coan (SC)*	<input type="checkbox"/> present	<input checked="" type="checkbox"/> absent
John Couture (JC)*	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Michael McDowell (MM)	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent
Kevin Gallagher (KG)*	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Structural Engineer (<i>open slot</i>)	<input type="checkbox"/> present	<input checked="" type="checkbox"/> absent
Jerry Ludwig (JL)	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	General Contractor of		
Alexander "Sandy" MacLeod (SM)	<input checked="" type="checkbox"/> present	<input type="checkbox"/> absent	Commercial Buildings (<i>open slot</i>)	<input type="checkbox"/> present	<input checked="" type="checkbox"/> absent

- * Thomas Riley (TR) participated as designee for RA for items 1-2.
- * Jennifer Hoyt (JH) participated as designee for SC during this meeting.
- * JC arrived at 10:20 AM.
- * RA returned to meeting at 10:15 AM.
- * KG left meeting after the completion of the review of 780 CMR 9th Edition topics.
- * TP left at 4:03 PM

ALSO IN ATTENDANCE (DPS staff and committee members. Others in attendance listed in attached Audience Sign-In Sheet):

- o Matt Carlin ("MC"), Commissioner of DPS;
- o Deirdre Hosley ("DH"), Deputy General Counsel;
- o Felix Zemel ("FZ"), Technical Director;
- o Gordon Bailey ("GB"), State Building Inspector;
- o Jeffrey Putnam ("JP"), State Building Inspector;
- o Stephen Kennealy ("SK"), Director – Manufactured Buildings Program; and
- o Robert "Bob" Carasitti ("BC"), Chair of Fire Prevention Fire Protection Committee

RC introduced FZ as the new Technical Director for DPS, and asked FZ to introduce himself and his background. FZ provided a brief description of his academic and professional backgrounds. RC then explained the urgency and importance of this position, in light of the staffing needs of the department.

General notes on format:

- Votes are noted as **Motion** by, Second by, and whether the vote was unanimous or split (if split, will list the vote in the order of: yea, nay, and abstain).
 - The October 13, 2015 Agenda is listed as **Exhibit A**; others are listed sequentially as addressed during the meeting.
2. The September 8, 2015 meeting minutes (**Exhibit B**) were reviewed, and **approved**, with the following edits, as recommended by JH:
- Item 3c. currently states: "... is under the authority of Fire Services". The item should state: "... is under the authority of the local Fire Department".

Approved unanimously

3. RC explained that there will be a break at 11:30 AM in order to present the family of former Fire Marshal Joseph O'Keefe with a letter of recognition of his service to the Commonwealth of MA.
4. **Review of 780 CMR 9th edition topics.** RC explained that on June 9, 2015, the BBRS completed a year-long effort to draft a 9th edition of the Building Code, and incorporating the 2015 I-Codes. During its August 11, 2015 meeting the BBRS decided to take a second look at certain chapters of the draft regulations; particularly looking at fire protection systems. Chapters 4, 9, 34, and 41 were forwarded to the members of the FPDF Committee for review and comment. During a series of meetings throughout August and September, the FPDF Committee reviewed the various concerns presented by the Department of Fire Services ("DFS"); including their concerns about large-loss fires. The FPDF Committee members were asked to review the DFS comments and TR's responses, thoroughly, and were asked if they agreed with the DFS and TR comments (citing reasons for agreement or disagreement). RC thanked all of the members of the FPDF committee for all of the time and effort that they put into reviewing the applicable sections, and providing feedback.

RC took a moment to congratulate BC on his election as a Fellow of the Society of Fire Protection Engineers, and how large of an achievement that is. BC explained that he needs to give a 5-minute speech at the national conference of the Society of Fire Protection Engineers in the near future, as well.

RC explained that BC will present the results of the meetings of the FPDF Committee meetings. He further explained that the Board will discuss, and vote on, each item after the presentation by BC. RC explained that the BBRS is comprised of representatives of a cross-section of industries that are related to the construction industry. He then explained how the code promulgation process, in light of the EO 562 process, will proceed following the hearing.

5. **Discussion request by KG prior to starting public hearing (*matter not reasonably anticipated by the Chairman two [2] business days in advance of the meeting*) – taken out of order.** KG stated that he would like to have permission to ask a general question of the Board, once RA returned to the meeting. KG described the history of the FPDF committee, and its transition, over the years, from a twenty-one (21) member board – comprised of mainly of representatives of industry – to an eleven (11) member board – with each member of the BBRS Board appointing a designee to the FPDF committee. BC explained that this was correct, and that the need was necessitated by the increasing difficulty to obtain a quorum of the membership of the committee.

KG then explained that RC had been designated by RA to participate, in his place, as a voting member of the FPDF Committee. KG was concerned because past practice was to have a staff member be the designee of RA, and that the appointment of RC may have given extra weight to a certain interest group. DH stated that she felt that designating RC was an oversight by the Department. RA described the history of personnel filling in for him.

KG asked whether it was appropriate to allow BBRS members to VOTE on technical committees. RC said that this discussion should be continued to the end of the meeting, and that discussion should include attendance and/or attendance and participation. RA noted that all subcommittees are derived from the BBRS, and not statute and also recommended further discussion, later.

- a) RC agreed with RA, and reiterated that the original 21-member board in the 6th edition was inappropriate. He explained that it was difficult to maintain objective views. RC noted that technical advisory committees are simply providing advice to the BBRS.
6. **Review of 780 CMR 9th edition topics (*continued*).** The following items were discussed, as described by RC, above:

- a) **IBC Section 202 – Definition of Fire Area:** DFS recommended adding an alternative definition of Fire Area, similar to that which existed in the 6th through 8th editions of 780 CMR. BC explained that the reasoning behind the historic adoption of this definition was in order to capture more buildings that should have additional fire protection measures. BC explained that under the proposed language, would capture many state buildings. The virgin 2015 IBC, instead, calls for compartmentalization with two hours of protection between compartments. RC asked if this covers commercial buildings <7,500 square feet.

RC explained that at the Oct. 2015 ICC Final Action Hearings, a proposal was discussed that would require fire walls extending to the roof for all areas greater than 3,000 square feet (“SF”). JH pointed out that the virgin language already has a zero (0) square foot threshold, and that the fire wall extension would be in addition to the sprinkler requirements. JH also explained that the Fire Area approach allows for sprinklers to be required throughout the building, instead of just piecemeal. JH noted that this provision was only regarding new buildings, as the IBC is the code for new construction.

RA explained that this definition was initially introduced in the 6th edition of 780 CMR. He said that compartmentalization is not necessarily the best option. RA gave an example of a fire in Peabody where the fire walls were breached by cable lines, after the Cert. of Occupancy was issued, and the fire spread into the attic, and a fire ensued. RA expressed his support with the aggregate area method. RC confirmed that this was for new construction only; not for existing buildings – asking about a hypothetical building on Beacon Hill, and if it would need to have sprinklers installed if it were to undergo renovation. RA confirmed that this was for new buildings.

RC noted that the issue in question is if the BBRS wants to go forward with what the I-Code currently has, of continue its historic use of aggregate area. RA explained that a vote in support of the FPDF recommendation would be a change from the I-Codes, and leaving it alone would keep it in line with the I-Codes. RC reminded the Board that they previously voted to stay in-line with the I-Codes. TR described that there was grave concern that compartmentalization, in accordance with the I-Codes, was too lax. He also recalled that there was no strong push-back from the regulated community when the aggregate area method was introduced – back in the 6th Edition of 780 CMR.

TR recommended carrying the older position forward, and to let “fact-based changes” enlighten the Board’s position in the future. He explained that an assessment of the data collected, as wells as an update to the type of data collected, in the NFIRS is needed. TR also reiterated that this is for new construction.

KG said “beyond thanks to Mr. Riley for sharing that with us. It is that sense of history; and that sense of knowledge, that is important for this process”. He also reiterated that retaining this resulted in very little push-back from the regulated community because of the acknowledged need to have both active and passive protection from fires. KG also agreed with RA in stating that passive systems are not maintained, post-construction; unlike active systems. KG said that he supported retaining 903.2 into the 9th Edition.

JL asked if this was commercial. TR confirmed that this was commercial in that anything regulated by the IBC is considered commercial. JL then asked if TR meant that this provision is for anything beyond a one- or two-family residence. TR confirmed that.

RC polled the members of the board if the motion should be to change the definition of fire area to align with the FPDF recommendations.

MOTION by KG to accept the FPDF recommendations, relative to Fire Area definition

SECOND by JH

DISCUSSION:

RC asked if the board would like to exempt construction, up to 7,500 SF. JH explained that this was for new construction only; that this was a definition in the IBC, not the IEBC (which relates to existing structures). BC said that this definition is for new construction. He said that the FPDF Committee is open to retaining the virgin IBC definition for existing buildings, only. That would require working between the FPDF and Chapter 34 Committees, which could be discussed at a later date as no proposals are currently listed.

VOTE 7 Aye (TP, RA, JC, KG, JL, MM, JH); 1 Nay (SM); 1 Abstain (RC)

- b) **IBC Section 901.7 – Definition of Fire Area.** BC explained that this should be in line with the Chapter 2 definition, as it is just reiterating what was already voted. JH asked if we can take a quick vote on this, for recordkeeping purposes.

MOTION by MM to change the definition of Fire Area to be aligned with the Chapter 2 definition, just approved.

SECOND by JH.

VOTE 7 Aye (TP, RA, JC, KG, JL, MM, JH); 1 Nay (SM); 1 Abstain (RC).

- c) IBC Section 902.1. BC explained that the previous action (in 6b, above) addresses this issue, and that no further action is needed.
- d) IBC Section 903.2.1 through 903.2.10.1 – Sprinklers Where Required. DFS recommended deletion of Sections 903.2.1 through 903.2.10.1, and replacing them with the current Table 903.2, listed in the 8th Edition of 780 CMR, along with all of the current notes (with updates as appropriate for consistency with the 2015 IBC). JH said that staff should take a look at the changes between the 2009 and 2012 IBC for possible updates. She also said that adoption of the 8th Edition table will result in a withdrawal of some DFS proposals.

BC believes that the current Table 903.2 needs to be cleaned up, possibly into a one-pager. The footnotes are very important. TR asked for clarification of the recommendations of updating Table 903.2, with regard to if these are just administrative updates, or if they are to include technical updates. BC said that the updates will be mainly editorial. He said that it may include a couple of additional, “where required” as a result of the 2015 IBC. BC explained that in 2013, the FPDF thought that they would not need changes. TR asked BC, through the Chair, to clarify if the table being voted is the virgin Table 903.2 that is in the 8th Edition, or if it is the updated one. BC responded that the original August 2010 table was updated in April 2014, and that that is the one for which the BBRS will be voting.

MOTION by TP to accept the FPDF Committee’s recommendation to retain Table 903.2, with slight amendments by staff – as described in the presentation – and omit IBC Sections 903.2.1 through 903.2.10.1 from the 9th Edition of 780 CMR.

SECOND by KG.

VOTE 8 Aye (TP, SM, JL, JC, RA, JH, KG, MM); 1 Abstain (RC).

- e) IBC Sections 903.3.1.1, 903.3.1.1.1, 903.3.1.1.2, and 903.3.1.2. BC said all of the comments regarding these sections were incorporated into the Table 903.2 notes, voted in Item 6d, above. JH withdrew the DFS comment in light of the adoption of Table 903.2, with notes.
- f) IBC Section 202 – ADD definition for Maintenance of Fire Protection Systems. BC explained that this definition existed in the 8th Edition of 780 CMR. FPDF Committee voted to retain this definition. BC said that this is more of a discussion about permitting, and that the references to 527 CMR and C. 148, Section 27A. He said that the FPDF Committee felt that this should be added to Section 107: Permit. BC also said that the second item is about adding the words “as applicable” or “the applicable sections of 527 CMR”, throughout, when referencing 527 CMR. DH confirmed that this wording is appropriate.

RC asked staff if the intent of this section is to bring attention to the fact that Chapter 148 and/or 527 CMR may also apply. DH confirmed that this is appropriate to reference these two references, as long as the “as applicable” language is added. BC said that the FPDF unanimously agreed to the addition of “as applicable” when referencing Chapter 148 and 527 CMR. RC confirmed that any mention of 527 and/or Chapter 148 should be prefaced with “as applicable” or “applicable provisions of”. RC asked if there were any problems with staff handling this as an editorial edit. No objections were presented.

TR explained the historic perspective. He explained that this definition was originally added in the 6th Edition of 780 CMR as an attempt to provide the regulated community with guidance that if it is something as simple as a maintenance event may not require a Building Permit, but may still require other permits from the Fire Department – or others. Also, by saying “as applicable”, the BBRS is saying that there may be portions of 527 CMR that are applicable, but that they are not endorsing portions of 527 CMR that are conflicting with 780 CMR, and which just got by the Board during the promulgating process.

MOTION by JH to add the definition of Maintenance of Fire Protection Systems into Section 202 of the draft 9th Edition of 780 CMR, as proposed by DFS, and as amended by staff.

SECONDED by KG

VOTE Unanimous

DISCUSSION:

BC noted that this motion is not in accordance with the FFPF recommendation, which was to put it in the permit section, not definitions. JC asked if that was what was voted. JH said that the Board had voted to place it in Section 202, in the definitions. JH said that she was willing to re-vote, due to the confusion with the motion. JH said that she feels that it is better in definitions, because designers tend to look at Chapter 2, and often skip over chapter 1. KG concurred. JH said that it doesn't matter to DFS where it is placed, that it is more to provide clarity to designers that a permit may be needed from the Fire Service.

JC said that he felt this would better served as an exemption from a permit in Section 107. He explained that this is a repair, or alteration to the system. TP said that there is a section listing where a permit is not required.

MOTION by JC to move the definition of "Maintenance of Fire Protection Systems" to the exceptions section in Chapter 1 of 780 CMR.

SECOND by TP

VOTE Unanimous

DISCUSSION: FZ asked the Board if, given the fact that this is being moved from the Definitions section to the exemptions from a permit, the wording should start with "replacement or repair of any component ...", in order to it to be easier for Building Officials and designers to follow. JH said that DFS has no opposition to this change. RC said that this will be handled by staff as an editorial change.

- g) IBC Section 202 – Add definition of Modifications, Alterations, Additions, or Deletions. BC described this section as a section being brought forward from the 8th Edition. He felt that the FFPF Committee agreed with this, in concept, but felt that it belongs in the Specialty Codes section of 780 CMR, not Chapter 2, with definitions. RC began the discussion by saying that he has concerns with the term "performance" in the definition. He felt that this was too subjective for his comfort. RC recommended removal of the term "performance".

TR said that, historically, the term, "performance" was used because minor maintenance of a Fire Protection System would not affect performance, and would thus not be a building permittable event. As an example, addition of additional strobe horns to an existing daisy-chain of strobe horns, all that would need to be updated is the power supply. JH continued TR's point by stating that the previous section allowed maintenance of systems without requiring a permit. This section is regarding adding of items (sprinkler heads, horns, and strobes) beyond what already exists that is truly changing the system. JH feels that performance is needed in this section, and that this affects a specific subset of fire protection systems.

RC asked about the applicability of this section to demolition of a building. He asked if this would trigger a Fire Protection Permit. JH explained that demolition of an existing building would fall under the Existing Building Code, and that the current discussion is the code for new construction. JH said that a renovation in an existing building that results in a change of use or occupancy may kick into the code for new construction and require permitting because the performance is being impacted. RC again asked about demolition, and its applicability to this section. He asked if a building is being demolished, a sprinkler fitter would be required to take the system apart, and a permit would be needed from Fire. RA recommended creation of an FAQ by staff, in order to clarify the plain language of the code.

DH asked if trades people would need to come in if the building is being demolished. KG said that a building does not come down in an hour, and that a 27A permit would be needed. KG said that this permit would be needed even for demolition, but that the system does not have to be maintained fully – just in accordance with the fire chief. He may want to maintain portions of the system that are not under demolition. DH confirmed that this is not for a building permit. KG said that no building permit is needed, just a fire permit.

RC asked what the purpose this portion is, if a permit from the Fire Department is needed. JH explained that this is a life safety issue, and that the perception that a life safety system exists, when it doesn't, presents an issue to the Fire Department and the public. This section brings awareness that they may need to refer to Chapter 27A. BC explained that this was discussed, at length, at the FFPF Committee meeting. He said that this is a common issue, and the committee supports it because it brings awareness to the 27A requirements. BC said that this should be in the code, and that an FAQ process is needed in order to explain this process.

MOTION by MM to add this provision to the 9th Edition of 780 CMR, with the issuance of an FAQ, by staff, and adding the "as applicable" prior to 527 CMR.

SECOND by JC

DISCUSSION. FZ recommended moving it from definitions under Chapter 2 to referenced Specialized Codes in Chapter 1. RC asked JC if he supported this. JC said that this makes a lot more sense. No opposition from JH, as well.

VOTE Unanimous

- h) Section 427.6 – Bulk Merchandising Storage Arrangements (*unique to MA*). The proposal was to change the reference standard from NFPA 430 to NFPA 400.

MOTION by TP to change the reference standard from NFPA 430 to NFPA 400.

SECOND by JL

VOTE Unanimous

- i) Section 427.7 – Bulk Merchandising Hose Connections (*unique to MA*). The proposal from DFS was to amend the wording of Exception 1 to change the access road width from eighteen (18) feet to twenty (20) feet, as well as to add “as applicable” wording prior to 527 CMR.

MOTION by KG to accept the proposed language from DFS.

SECOND by JH

VOTE Unanimous

7. **Presentation of Letter of Recognition to the family of Fmr. Fire Marshal Joseph O’Keefe.** RC read a previously-prepared letter of recognition to the son of the former Fire Marshal (**EXHIBIT C**). Mr. O’Keefe thanked the Board for their recognition of his father. Fire Marshal Coan (“SC”) followed Mr. O’Keefe, reiterating the sentiment presented by the Board. He also talked about his impact on the fire fighting profession and the City of Salem. RC thanked RA and Paul Moriarty for putting together the letter and arranging for Mr. O’Keefe to attend the meeting.

8. **Review of 780 CMR 9th edition topics (*continued*).** RC continued the previous discussion, following the departure of Mr. O’Keefe.

- a) Section 427.7 – Bulk Merchandising Hose Connections (*unique to MA*). The proposal from DFS was to amend the wording of Exception 2 to change the access road width from eighteen (18) feet to twenty (20) feet, as well as to add “as applicable” wording prior to 527 CMR.

MOTION by KG to accept the proposed language from DFS.

SECOND by JH

VOTE Unanimous

- b) Section 427.13 – Bulk Merchandising (*unique to MA*). The proposal is to add the “as applicable” language prior to reference to 527 CMR.

MOTION by JH to accept the proposed revision.

SECOND by TP.

VOTE Unanimous

- c) Section 430.5.1 – Alternative egress (*unique to MA*). BC said that there was a joint conference call between DPS and DFS to develop language regarding 3rd party review of alternative egress provisions. BC reported that he did not have an opportunity to develop the draft language. No changes are proposed from what is currently listed on the website. BS reported that DFS was pointing out that there may be an exception for 3rd party review of a potential performance approach.

No action taken

- d) IBC Section 507.5 – Unlimited area 2 stories. DFS comment was to delete this section. 8th Edition, this section was deleted. Previous work by FPPF decided to keep the virgin code. DFS was concerned with large loss fires. Although much debate occurred in the FPPF Committee, the majority voted to adopt the virgin language. RC asked what action is proposed. BC said that the action is to decide if the Board would like to keep the proposed language, as originally approved, or to accept the DFS proposal to remove the section.

JH explained that she is concerned for the safety for fire service personnel. DFS still supports single-story unlimited area buildings, but not 2-story buildings.

MOTION by SM to reject the DFS language, and keep the original virgin IBC language

SECOND by JC

VOTE: 7 Yea (RC, SM, JL, RA, JC, MM, TP); 2 Nay (JH, KG).

- e) IBC Section 901.1 – Fire Protection Systems Scope. BC explained that the amendment is to add a third note, stating the removal of the IFC as a referenced standard. FPFP disagreed with DFS on this section. Not supported by the Board. BC explained that the IFC covers certain technical areas are not covered by 527 CMR, and identification of all of the conflicts is too complicated. JH recommended referencing back to Chapter 1 to see where IFC and 527 CMR interact with one-another. If vote is negative, then staff should add a note referencing back to Chapter 1.

MOTION by KG to add note 3, as amended

SECOND by JH

VOTE: 2 Yea (JH, KG); 7 Nay (RC, SM, JL, RA, JC, MM, TP)

MOTION by JH to add a note 3 that references back to the section of 780 CMR that addresses the interaction between 527 CMR and the IFC.

SECOND by KG

VOTE Unanimous

- f) IBC Section 901.2.1 – Item 1, Tier 1 Documents. Proposal was to remove the word “Siamese”, as there are many more types of connections, currently, than just the Siamese connection. Addition of note w was proposed, adding Emergency Responder Radio coverage / type to the list.

MOTION by JH to accept the proposed changes to Section 901.2.1

SECOND by KG

VOTE Unanimous

- g) IBC Section 901.3 – Maintenance of Fire Protection Equipment. Addition of the “as applicable” language prior to 527 CMR.

MOTION by JH to accept the DFS recommendation

SECOND by TP

VOTE Unanimous

- h) IBC Section 901.5 – Acceptance Tests. BC explained that the proposed change by DFS is to remove wording authorizing the Fire Official to designate the Building Official to take his place during acceptance testing. BC explained that the current wording requires both of these officials, or their designee, to witness acceptance testing. This wording makes it possible for one official to designate the other to serve in his / her place.

JC recommended leaving the wording, as-is. JH expressed concern about this wording because the Fire Officials are the ones dealing with this during the time of a fire, and needs to be present for acceptance testing.

MOTION by SM to leave the wording as-is, with the Fire Official being allowed to designate the Building Official to witness acceptance testing in his place.

SECOND by JC

VOTE: 7 Yea (RC, SM, JL, RA, JC, MM, TP); 2 Nay (JH, KG).

- i) IBC Section 903.2 – Exceptions to Sprinkler Requirements. DFS recommended that the exception in this section be removed. BC said that these exceptions bring forward MA-unique exceptions to this section – most notably, the sprinkler vault exception, plenums, and non-combustible concealed spaces. FPFP disagrees with the DFS comment.

JH said that DFS’ concern was the there already exists wording for exceptions for sprinkler systems, in a different section. She explained that DFS is not opposed to the MA-specific exceptions, but wants to have the two sections of exceptions become one. Wants better coordination in the code, and for DFS and DPS staff to work toward this coordination.

MOTION by SM to keep the exceptions listed in Section 903.2.

Friendly amendment: JH asked to have staff review the language for duplication and simplification.

SECOND by TP

DISCUSSION:

TR recommended leaving the section as-is, with an additional note saying “also see sections x,y, and z”. JH had no concerns with this, as well.

VOTE Unanimous.

9. Break for lunch at 12:00 PM. Meeting called back to order at 12:37 PM

10. Review of 780 CMR 9th edition topics (*continued*). RC continued the previous discussion, following lunch.

- a) IBC Section 903.3.1.3 – NPFA 13D. BC explained that this is a case of relocation of wording in order to be more grammatically correct. JH explained that this was correct, and that this change allows for 13D systems to be installed in townhouses. TR said that he sees no differences in technical outcomes. FZ confirmed that this made better grammatical sense, and that this was not a technical change.

MOTION by TP to approve the DFS comment.

SECOND by SM

VOTE Unanimous.

- b) IBC Section 903.4.2 – Alarms. BC explained that the current language is the virgin IBC. DFS comment is requesting the 8th edition language. This would require that activation of an NFPA 13, 13R, or 13D system would result in an alarm throughout the building. FFPF was a close vote because it incorporated NFPA 13D systems. TR recommended an exception for NFPA 13D systems. BC said that that was the reason that FFPF was so close.

MOTION by TP to accept the DFS comment, with the addition of an exception for NFPA 13D systems.

SECOND by JH

VOTE Unanimous.

Exception to Section 903.4.2 was withdrawn by DFS because there was no exception.

- c) IBC Section 905.3.10 – Travel Distances Standpipes (*not currently in 9th Edition of 780 CMR*). BC explained that this is not addressed in the virgin code, and was new in the 8th Edition of 780 CMR. BC described misapplications of this provision, requiring standpipes to be added where they are not needed. FFPF voted to not move this item forward, but DFS would like this section added back into the 9th Edition.

MOTION by SM to not adopt the DFS language.

SECOND by JC

DISCUSSION:

JH used the argument of 2-story unlimited area buildings saying that this is a safety issue for fire service response.

JH said that the additional cost is not substantial, but may improve firefighter safety in very large buildings. TP said that this may need to be teased out as possibly occupancy-specific. RC said that this may be an item to be brought up after the hearing process. JH responded that this should not be occupancy-specific, and that issues regarding misapplication may be addressed through an FAQ.

VOTE: 7 Yea (RC, SM, JL, RA, JC, MM, TP); 2 Nay (JH, KG).

- d) IBC Section 907.2.1.1[F] – Voice Alarm Threshold for A Uses. BC explained that this comment is similar to past practice. The current draft requires A occupancies with an occupant load of 1,000 to have voice/alarm communications. DFS comment asks to reduce the threshold to 300 occupants. BC said the FFPF disagreed with the DFS comment. He explained that past application of the 300 occupant threshold resulted in unnecessary installation of Voice Alarms in such places as single-story restaurants, which would have resulted in total evaluation, anyway. BC also mentioned that people often do respond better to voice alerts than tones, but the majority still voted against the DFS comment.

RC felt that 1,000 is too much, but 300 is too little. BC agreed with RC's comment. KG asked about the science behind the determination of the 1,000 system. JH recommended retaining the 300, for consistency, and then having DFS work with DPS to determine a more accurate threshold. JH said that it may be easier to have the lower threshold, and then make it more lenient; instead of having a more lenient threshold (1,000) and reducing it to a lower number. She recommended that staff does research to determine a better threshold, and to keep it at 300 people.

MOTION by SM to retain the 1,000 threshold, previously established, in accordance with the virgin IBC.

SECOND by TP

DISCUSSION: Staff should work with DFS to develop an updated threshold.

VOTE: 7 Yea (RC, SM, JL, RA, JC, MM, TP); 2 Nay (JH, KG).

- e) IBC Section 907.2.3 – Group E Manual Pull Station Exceptions. BC explained that DFS is looking to remove exceptions two (2) through four (4) from the virgin IBC. He explained that FPPF voted 7-1 to oppose the DFS comment. JH noted that DFS supports exceptions one (1) and four (4).

MOTION by SM to maintain the current exceptions, including exceptions two (2) through four (4).

SECOND by TP

DISCUSSION:

JH noted that maintaining these exceptions results in a “lowering of life safety below the current 8th Edition”.

VOTE: 7 Yea (RC, SM, JL, RA, JC, MM, TP); 2 Nay (JH, KG).

- f) IBC Section 907.2.9.1 Item 3 – Group R-2. BC explained that his discussion with the FPPF Committee was not able to come to a consensus as to the twelve (12) threshold, versus the sixteen (16) threshold. BC said that some thought that this may have come from some state facility requirements. He said that the FPPF Committee voted 7-1 to disagree with the DFS comment, provided that there is no conflict with the MGLs. TR explained that past versions of 527 CMR had a table where DFS asked for twelve (12) due to high density in certain inner city areas due to problems with false alarms. He said that this table went away in the new 527 CMR.

JH explained that adopting the virgin IBC threshold lowers the level of life safety below the current 8th Edition. KG asked for evidence as to why twelve (12) is wrong. MM entered into debate with KG asking him what the evidence is that twelve (12) units is right. KG said that this provides enhanced protection, and MM noted that the KG comment is based upon no documentation of savings or benefits to life safety (no numbers). RC noted that the Board is attempting to keep up with the virgin code, as much as possible.

MOTION by SM to stay with the virgin IBC language.

SECOND by MM.

VOTE: 7 Yea (RC, SM, JL, RA, JC, MM, TP); 2 Nay (JH, KG).

- g) IBC Section 907.2.11 – Single and Multiple smoke alarms. BC explained that the FPPF recommended the BBRS proposal. JH explained that the DFS proposal is merely a clarification, and not a substantial change. She explained that, in the past, Building Officials have previously denied household fire warning systems. JH recommended an FAQ if the Board wants to maintain the current BBRS proposed language. TR agreed with JH.

MOTION by SM to maintain the current BBRS proposal, with the requirement that staff develop FAQs about proper application.

SECOND by TP.

VOTE: 7 Yea (RC, SM, JL, RA, JC, MM, TP); 2 Nay (JH, KG).

- h) Section 907.2.24 – Other Sleeping Areas (unique to MA). BC explained that this section is entirely unique to MA, and is present in the current, 8th Edition of 780 CMR. He said that this was meant to apply to Fire and Police Department bunk houses, as well as nurse and intern bunk rooms. FPPF voted to remove the MA-unique provision; mainly because it was previously used to require detection when it was not otherwise required – particularly in R-2 Use Groups.

BC explained that, in his interpretation, this would be a sub-classification of the B Use Group, and would recommend installation of Fire Alarms, but some Building Officials would call the entire structure a B Use Group, and not require Fire Alarms. He said that this protects against smoldering fires, which are a real problem to consider. TR said that the DFS proposal may be worth adopting, but including an FAQ. RC noted that this may result in a conflict with other areas of the code. JH asked about where this conflict may exist. She explained that without this code requirement, government organizations may not have the money in their budget to fund these systems, which provide a basic level of life safety. She also agreed that an FAQ be released, in order to clarify application.

RC asked why this issue cannot be addressed through an interpretation or FAQ, without adopting this section of the Code. JH said that this will not be a requirement if it is not in the code. She reiterated that this is a basic life safety provision. RC said that he can see this being applied in airports, radio control stations, as well as women’s restrooms (where a couch is installed) – as long as there is a potential for people sleeping. JH said that this is an extreme

interpretation, and that an FAQ can be address these extreme interpretations. TP noted that this is an extreme interpretation, but those often happen – maybe this can be addressed through exceptions to this section.

RC noted that this item may be perfect to go to the IBC, in the future, if it is cleaned up. JH said that this should absolutely be brought up to the national level. She said that MA should push this through in the MA Amendments, and then bring it to the ICC.

MOTION by SM to remove the DFS recommended provision from the 9th Edition of 780 CMR.

SECOND by TP.

DISCUSSION:

JH wanted to note that we already have this in the 8th Edition, and we should move forward with it into the 9th Edition. She recommended maybe adding some exceptions or an FAQ, instead of removing it outright. FZ asked if this is addressed in the NFPA Codes. JH said that she did not know, as NFPA quantifies things differently from the ICC, and that she needs to look it up. A member of the audience (Mike Dimasio, ARRUP, not signed in) noted that Detention and Correction Occupancy, as well as small holding cells, are required in NFPA 101 – which is not applicable in MA.

RA suggested that DFS and DPS staff work offline to re-examine this further. Recommended amending the motion to include language that DFS and DPS staff work together, during the remaining process, to come up with more amendable language. SM said that he does not mind amending his motion to include having staff work toward better language, to be discussed at another public hearing. JH said that DFS would love to work with DPS staff to come up with a proposal, but that she must vote against this because the current proposal does lessen life safety in the Commonwealth of MA.

VOTE: 7 Yea (RC, SM, JL, RA, JC, MM, TP); 2 Nay (JH, KG).

- i) IBC Section 916.1 – Emergency Responder Radio Coverage. BC explained that the current language exempts existing buildings which contain fire fighter communication systems. He reported that the DFS proposal is to delete the exception, because Exception 2 of 916.2 “already permits the fire official to waive the requirements for emergency responder radio coverage”. BC said that FFPF did not review this specific proposal. He said that the existing proposal would give the property owner the ability to choose if (s)he would update the coverage.

BC noted that Emergency Responder Radio Coverage is a topic area that is continually discussed by the FFPF Committee, because it is an ever-evolving topic. He noted that this would exempt existing systems. The 8th Edition was pulling the IFC language into the IBC, as the IFC is not adopted in MA. BC said that these requirements are included for existing buildings through the Prescriptive method of the IEBC, or certain cases in the Performance method used in the IEBC. Work Area method is “fuzzier” because of certain provisions. He reported the FFPF Committee voted 6-4 to disagree with the DFS recommendation. JH said that DFS doesn’t want to change the requirements for existing buildings. TP mentioned that this is required for smaller buildings, too.

JH said that this was a matter of firefighter safety, not life safety, as this coverage provides communications between the scene and the fire ground management. She said that this is crucial to bring communication from inside the building, outside of the building. KG pleaded, personally, to allow local officials to decide what is required, and when, as certain things may have changed between the time that the structure was built and the current project, which may result in increased needs for improved radio coverage. JC said that he would support the DFS proposal, as building owners do not always understand the concept of compatibility.

MOTION by SM to move forward with the FFPF recommendation to keep the exception originally proposed in the draft 9th Edition (against the DFS recommendation).

SECOND by MM

VOTE: 5 Yea (RC, SM, JL, MM, TP); 4 Nay (RA, JC, JH, KG).

- j) IBC Sections 916.1 through 916.3 – Emergency Responder Radio Coverage. BC said that this is an attempt, started in the 8th Edition, to bring in applicable provisions of the IFC. Said that the original proposal is a mistake, as the current IFC has many more provisions, which are not included in the current wording. This is an evolving area. DFS proposal was to mix IFC criteria with NFPA 72 criteria. FFPF agreed that there needs to be more information about this. Said to bring in all remaining sections of Section 510 of the IFC; with the only change being in 510.2 (regarding existing buildings) by bringing in references to applicable sections of NFPA 72, as referenced by 2015 IBC, and re-numbering the sections into the 9th Edition. 6-3 FFPF vote in favor of this recommendation.

TR asked if this is what the Board should move forward to the BCCC, and then work to change it later. BC explained that the FFPF motion is to adopt the current language of the IFC, with the revision to 510.2 described above.

MOTION by JH to move forward, as prescribed.

SECOND by MM

VOTE: Unanimous

- k) IBC Section 1010.1.9.7 Delayed Egress. BC noted that DFS recommends removing the terms “local” and “remote” from the recommended wording. He noted that the FFPF Committee agreed with the DFS Revision.

MOTION by JH to adopt the DFS recommended amendment.

SECOND by TP

VOTE: Unanimous

- l) Chapter 34, IEBC Section 101.2[A] – Scope. BC explained that DFS would like to add the term “fire” after the word “elevator” in the Scope of the IEBC.

MOTION by JH to adopt the DFS recommendation

SECOND by TP

VOTE: Unanimous

- m) Chapter 34, IEBC Section 302.9 – Provisions for change in occupancy to R-use. BC explained that DFS would like to add I and E use groups, as well as removing “780 CMR” and changing it to “Chapter 9”. BC also noted that “as applicable” be added prior to 527 CMR.

MOTION by JH to adopt the DFS recommended amendments, with the addition of “as applicable” provisions.

SECOND by KG.

VOTE: Unanimous

- n) Chapter 34, IEBC Section 804.2.2 – Groups A, B, E, F-1, H, I, M, R-1, R-2, R-4, S-1 and S-2. BC noted that DFS recommendation adds “R-3” after “R-2” in two locations. JH said that she spoke with the ICC, and they explained that it was merely neglected, because they didn’t think of those types of applications. TR asked if this was applicable to cottage industries in people’s basement. JH explained that this would not apply to a person making jewelry in the basement, but would apply if a restaurant were added to the first floor, resulting in a change in use. FZ recommended adding an FAQ regarding home offices, and other similar occupancies where a commercial use is accessory to the residential use.

MOTION by JH to adopt the DFS recommended revisions, with addition of directing staff to develop an FAQ explaining the intent of this section, as described during discussion.

SECOND by KG

VOTE: Unanimous

- o) Chapter 34, IEBC Sections 804.2.2 through 804.2.4. BC explained that the DFS recommendation is to remove the term “municipal” from all applicable sections. FFPF agreed with this recommendation. FZ noted that the terms “municipal” and “public” have specific applications in other regulations. This may not include private wells, etc. FZ recommended removal of “municipal” from the wording of the sections, to add to simplicity of interpretation and understanding. JC agreed with FZ’s opinion.

MOTION by TP to remove the term “municipal” from the applicable sections listed above.

SECOND by MM

VOTE: Unanimous

- p) Chapter 34, IEBC Section 804.2.5. BC explained that this DFS comment is being carried forward from the 8th Edition. FFPF recommends using the 8th Edition Section 903.4.1 wording, as the BBRB decided to not adopt the 8th Edition wording in the draft 9th Edition code for new construction.

MOTION by JH to adopt the DFS recommendation with the appropriate change to Section 903.4.1 of the code for new construction.

SECOND by KG

VOTE: Unanimous

- q) Chapter 34, IEBC Section 805.4.4 – Panic Hardware in nightclub uses. BC said that the addition of the DFS proposal is in accordance with the MGL and applicable regulations relating to nightclubs. BC also noted that Group A receives panic hardware, currently, at 50 occupants.

MOTION by KG to adopt the DFS recommended addition to Section 805.4.4 of the IEBC (Chapter 34 of 780 CMR).

SECOND by JH.

VOTE: Unanimous

- r) Chapter 34, IEBC Section 904.1.1. BC noted that this was similar to the previous proposal to remove the term “municipal” from the code section.

MOTION by JH to adopt the DFS comments

SECOND by TP

VOTE: Unanimous

- s) Chapter 34, IEBC Section 1401.4.1 – Structural Analysis. BC said that he did not know why this was added to the FPPF discussion, as it is not applicable to their expertise. FPPF recommended follow-up with the Structural Advisory Committee.

NO ACTION

- t) Chapter 34, IEBC Section 1501.1 – Scope. BC noted that FPPF agrees with this recommendation, and just recommends adding the term “as applicable,” or similar, to the DFS wording.

MOTION by TP to adopt the DFS language, to include the term “as applicable”

SECOND by JH.

VOTE: Unanimous

- u) Chapter 51, IRC Section R313.1 – Townhouse automatic fire sprinkler systems. BC explained that DFS would like to remove exception 2 from the draft language of the 9th Edition of 780 CMR. RC noted that this section brings back the discussion of sprinklering vs. compartmentalization. JH said that the 8th Edition required sprinklers in townhouses already. JH noted that exception 2 is a MA amendment that is not reflected in the virgin IRC. She said that renovations allow for a reduction to a 1-hour separation, from a 2-hour separation, if sprinklers are installed.

TR explained that over 3 stories requires sprinklers, currently, in the 8th Edition. TR did not recall exemptions for new construction townhouses in the 8th Edition. BC explained that this would exempt sprinklers in townhouses if they are separated by a 2-hour separation. He said that this was reflective of a philosophy change in the ICC. He said that for over 3 story townhouses, they need sprinklers.

JH summarized NFIRS data, but noted that it includes all multi-family residential properties, not just townhouses. JC noted that, if these units are sprinklered, then the number of means of egress goes down to one (1), instead of two (2). He also noted that he spoke with multiple fire chiefs who said that they would take two egresses over a sprinkler system, any day. KG warned that there exists a modicum of risk included in a vote to allow exemption 2 to remain.

MOTION by JH to delete exemption 2 from the draft 9th Edition of Chapter 51, IRC Section R313.1 (adopt the DFS recommendation)

SECOND by KG

VOTE: 2 Yea (KG and JH); 7 Nay (RC, SM, JL, RA, JC, MM, TP).

- v) Chapter 51, IRC Section R313.1.1 – Design and Installation. BC explained that DFS recommends adding NFPA 13 and 13R to the draft 9th Edition language. He said that this mirrors the language in the code for new construction. TR noted that, due to the last vote, this vote may not be needed. JH noted that this mirrors the 8th Edition language. FZ noted that this may still be applicable if sprinklers are already included in the design.

MOTION by JH to adopt the DFS recommended language.

SECOND by JC

VOTE: 7 Yea (RC, JH, KG, RA, JC, MM, TP); 2 Nay (SM, JL).

- w) Chapter 51, IRC Section R314.3 – Location of smoke alarms. BC noted that DFS proposes adding an additional location for smoke alarms. Extensive discussion ensued about this additional requirement, in light of current architectural trends, these may not be the best locations because smoke may bypass it if stairways are open. JH explained that the intent of DFS is to have a smoke alarm appropriately placed within the stairway component of a means of egress. TR said that top of stairs may be better for most applications. JH explained that this is needed in the means of egress.

MOTION by SM to change the section to “near all stairs” with the development of an FAQ between DPS and DFS staff.

SECOND by TP

VOTE: Unanimous

- x) Chapter 51, IRC Section R314.4.1 – Installation near cooking appliances. BC explained that since the BBRS has removed ionization from the building code, this was changed to “reserved”. He explained that DFS wants to keep the base IRC language, but removal of items 1 and 3. JH explained the rationale for not placing a smoke alarm within six (6) feet of a cooking appliance as a source of false alarms – which may result in these smoke alarms being removed. TR explained the unique intricacies of construction in New England that makes it difficult to comply with these requirements. He also said that other places in the US allow for the use of ionization smoke detectors, which is not applicable in MA.

MOTION by MM to keep the language as “reserved”.

SECOND by TP.

VOTE: 7 Yea (RC, SM, JL, RA, JC, MM, TP); 2 Nay (JH, KG).

- y) Chapter 51, IRC Section R314.6 – Power Source. BC explained that DFS would like to remove exception 2 from the section. FPPF agreed, unanimously, with DFS. TR asked about the applicability for wireless household warning systems. JH said that this would require these to still be hard-wired.

MOTION by KG to accept the DFS Recommendation to eliminate exception 2.

SECOND by JH

VOTE: 5 Yea (MM, KG, RA, JH, TP); 4 Nay (RC, SM, JL, JC)

- z) Chapter 51, IRC Section R314.8 – Heat Detector. BC described that DFS recommended rewriting this section to require them to be interconnected with smoke detection in accordance with NFPA 72, as well as a terminology change from “main house” to “dwelling”. JH said that the listing on the detector has certain placement / installation requirements, and that the current language would require installation outside of the listing of the device.

MOTION by MM to approve the original draft language, with the terminology change recommended by DFS.

SECOND by JC

VOTE: 7 Yea (RC, SM, JL, RA, JC, MM, TP); 2 Nay (JH, KG).

- aa) Chapter 51, IRC Section R314.8.1 – Heat Detector Placement. BC explained that the DFS recommendation is just listing the standards under which the Heat Detector should be listed.

MOTION by SM to accept the DFS recommended addition.

SECOND by TP.

VOTE: Unanimous

- bb) Chapter 51, IRC Section R314.9 – Common areas. BC explained the DFS recommended changes. FPPF Committee proposal was different from the 9th Edition language. BC said that the FPPF Committee feels that the intent of 18.4.5 can be met with current smoke alarms in dwellings, He said to disagree with the DFS proposal, and adopt the draft FPPF language that came out of the June meeting. JH said that the DFS comment is outdated, and that DFS supports the FPPF language.

JC said that his experience is that people will remove the common area smoke alarm after the second (or later) initiation. JC recommended modifying this requirement to a head detector. RC asked if a heat detector would be amenable to FPPF intent. BC said that this would not achieve the intent of the decibel rating required by this standard. JH said that this is a necessary requirement where sprinklers are not installed. BC explained that there is no longer a common area unit,

because the “common area” unit is only applicable in stacked environments, so first floor is connected to first floor, and second is connected to second.

MOTION by MM to accept the original, unadjusted, language.

SECOND by SM

VOTE: 8 Yea (RC, SM, JL, RA, JH, KG, MM, TP); 1 Nay (JC).

- cc) Chapter 51, IRC Section R314.10 (unique to MA). BC explained this provision was withdrawn.

NO ACTION

- dd) Chapter 51, IRC Section R315.1 – General. BC said that FPDF agreed with DFS comments, across the board.

MOTION by TP to accept the DFS comments.

SECOND by SM

VOTE: Unanimous

- ee) Chapter 51, IRC Section R315.5 – Power Source. BC said that FPDF supports the DFS comments, keep exception 1, delete exception 2.

MOTION by KG to accept the DFS comment.

SECOND by JH

VOTE: Unanimous

- ff) Chapter 51, IRC Section R319.1 – Address identification. BC said FPDF supports the DFS recommendation, with the addition of the “as applicable” language.

MOTION by TP to adopt the recommendation of the FPDF.

SECOND by JC

VOTE: Unanimous

- gg) Chapter 51, IRC Section AJ102.3.1 == Adding or creating one or more sleeping rooms. JH noted that the DFS comment was withdrawn, because the change was already made by staff.

NO ACTION

- hh) Chapter 51, IRC Section AJ102.3.2 – Complete reconstruction. JH a technical change of terminology “more than 50% vs “such that 50%” and “detectors” to “protection”. BC said that FPDF supports this recommendation.

MOTION by KG to adopt the DFS comment

SECOND by JH

VOTE: Unanimous

NOTE: JH expressed an appreciation for the process, but did state that she would need to vote against the overall decision because of the requirements of the constituency she represents.

11. **Matters not reasonably anticipated by the Chair at least two (2) business days in advance of the meeting.** MM asked BC to open Section R313.2 of the IRC. MM recommended striking this section from the 9th Edition of 780 CMR. KG recommended discussing this at a future code change hearing, where many of the affected stakeholders were not apprised of this potential change, and would probably like to be present. JH agreed to discuss this at a future meeting, and asked if it was appropriate to discuss this item, as it was not on the original agenda. DH said that there was nothing precluding the Board from discussing it at the current meeting.

MOTION by MM to remove Section R313.2 of the IRC from Chapter 51 of the 9th Edition of 780 CMR.

SECOND by SM

DISCUSSION:

RA felt that this discussion was not appropriate time to be discussing this topic.

VOTE: 3 Yea (RC, SM, MM); 6 Nay (JL, RA, JC, TP, JG, KG)

12. **Review Executive Order (EO) 562 Processes.** DH reviewed the current status of EO 562 in the Department. Requires the submittal of an EO 562 form, and a regulatory impact statement to A&F, which will be sent to A&F after the BCCC process concludes. A&F supposedly will respond within 10 days, after receipt. If all goes well, the code will then go out to public hearing.
13. **Review next steps.** RA explained that the draft 9th Edition will now be loaded onto the “flip drive” and will be presented at the BCCC meeting on the Third Thursday in November.
14. **Edits to May 13, 2014 white papers on cost and effectiveness of building code requirements in 3 to 6 unit residential buildings.** Tabled
15. **Provide DPS training on window replacement for commercial buildings.** Hold
16. **Review of enforcement of M.G.L. c. 148, Section 26G.** Dan Walsh (“DW”) noted that this was requested previously by the Fire Marshal. Said that requested DFS information about his concerns. The MFBO offered 2 code changes proposals in 2014 regarding legislation regarding building codes. After speaking with professionals, they said that they would prefer code in regulation, not statute. MFBO asked that the BBRS seek intelligence regarding info from DPS and DFS regarding 26G compliance in building departments and fire departments. RC explained that the BBRS would like to find out if legislation is the appropriate place to make codes or not.

JH made a motion to remove this agenda item from future agenda because she feels that this section is the jurisdiction of local fire departments. RC requested a second on the motion three (3) separate times. Hearing no second, the item remains on the agenda until removed.
17. **Approval of 142 new CSLs issued in the month of September, 2015.** Approved through unanimous voice consensus.
18. **CSL reinstatements for medical reasons.** All documentation is in order.

MOTION by SM for approval.

SECOND by TP.

VOTE: Unanimous

19. **Reinstatement or approval to re-examine.** RA reported that this was regarding a decision made on a complaint a number of years ago, where the license was revoked. JC and MM wanted more information about why the license was originally revoked, and other relevant facts in the case. RA recommended permitting the petitioner to sit for the examination. DH noted that if he passes examination, the Board must grant him a license. Upon more discussion by the board, this item was **continued** to the next meeting of the BBRS, because they Board members would like more information about the case.
20. **Review and approval of actions contained in BOCC meeting minutes.** The Board reviewed the actions of the BOCC during their August 5, 2015 and September 2, 2015 meetings. There was a typo in the agenda, calling for October 6, 2015 meetings. RC commented that four (4) building officials’ licenses were revoked.

MOTION by TP for approval.

SECOND by SM.

VOTE: Unanimous

DH noted that she submitted a draft hearing decision of the BOCC regarding the Brimfield Building Official. She reported that this appears to be more of an issue regarding how to pay the building official. The BOCC had found no improprieties resulting in gross negligence

MOTION by SM for approval.

SECOND by TP.

VOTE: Unanimous. 2 abstained (JC – alternate BO in Brimfield; JH – did not have enough time to vote on item)

21. **Review of open web joists conforming to an ICC ESR 2999.** Continued to next hearing, because KG left and he was supposed to present. TR reported that KG just received the information, and hasn’t had time to review it. TR explained the concerns, with regard to missing information about the open web joists, and comparing them to the TJI joists. Explained that the open web joists are constructed with nominal lumber, versus the lightweight material in the TJI joists.

NO ACTION

22. **Review and vote approval draft letter to Board of Fire Prevention Regulations (BFPR) concerning authority issues.** TR explained the background of the letter (**EXHIBIT D**), and explained that its intention is to have the BFPR explain the source of its jurisdiction with regard to specific provisions in 527 CMR. JH said that the DFS legal counsel left, due to an incident in Franklin, and felt that the issue would be better served as a discussion between Counsels for DFS and DPS, not in a public forum. RC and JH debated having DFS directing local fire officials to stand down, with regard to their enforcement of controversial issues in 527 CMR. JH noted that it is a promulgated code, and that DFS cannot direct a local official to not enforce an already promulgated code.

MOTION by SM to finalize the draft letter, and send it to the BFPR for review and discussion.

SECOND by TP

VOTE: 7 Yea (RC, SM, TP, JL, RA, JC, MM); 1 Nay (JH); 1 absent (KG)

23. **Review draft interpretation relating to insulation values in existing homes.** TR read the draft interpretation (**EXHIBIT E**), and explained the background. Discussion was centered around if a permit is required, or if this is just maintenance that does not require a permit. The Board directed staff to continue working on this interpretation, for a discussion at the next meeting.

NO ACTION

24. **Matters not reasonably anticipated 2 business days in advance of the meeting.** John Nunnari (“JN”) asked the Board about the process following this meeting, as well as timeframe for promulgation, and date of implementation / potential lag for promulgation in order to replace past concurrency period. RA and DH responded with answers to JN questions. JN also asked about items on the BBRS November agenda.

RA noted that there are currently no items on the November agenda. JN then asked about future amendments to 780 CMR, following promulgation. RA and DH noted that this may be either yearly or 6 month cycles for amendments; that a final decision has not been made.

25. **Adjournment.** **MOTION** by JH to adjourn at 4:26 PM; **SECOND** by JC. **VOTE** unanimous.

EXHIBITS:

- A. BBRS Meeting agenda 10-13-2015
- B. BBRS Meeting Minutes 9-8-2015 (*Approved as amended*)
- C. Letter to the family of Fire Marshal Joseph O’Keefe (ret.)
- D. DRAFT Letter from BBRS to BFPR seeking jurisdictional clarification
- E. Draft interpretation related to insulation values in existing homes
- F. Audience sign-in sheet of those in attendance at the 9-8-2015 BBRS monthly meeting